

SECRETUNITED STATES GOVERNMENT
memorandum

DATE: 26 MAY 1993

REPLY TO:
ATTN: OC

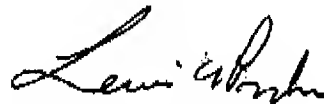
S-062/OC

SUBJECT: Purchase Request 330/0102Z/93

TO: DT

1. Subject purchase request is returned without approval. The justification for other than full and open competition is not acceptable. It cites the authority under the Competition in Contracting Act which allows an exception to the requirement for full and open competition based on the fact that disclosure of the Agency's needs would compromise national security. Use of this exception must be justified and paragraph 5., of the justification for other than full and open competition provides no justification other than the statement that disclosure would compromise national security. Justification must be provided. Additionally, the exception cited only permits an exception from the requirement for advertising the need; it does not authorize sole source procurement and the law requires that limited competition among as many sources as possible be conducted. There is a separate exception for that which states that only one source can satisfy the government's need. DIAM 44-2 should be consulted for the necessary justification required to invoke this exemption.

2. If DT desires to resubmit the request with either additional justification for the exemption cited along with a plan for limited competition; or, with a new justification using another exemption, OC will review the revised justification.

LEWIS A. PROMBAIN
ComptrollerEnclosure
PR 330/0102Z/93 (S)
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